IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O. CIVIL JURISDICTION

NOTICE OF MOTION NO.466 OF 2004
IN
WRIT PETITION NO.803 OF 1992

Balkrishna Shinde & Ors. ....Petitioners

V/s.

Bharat Petroleum Corpn.Ltd. & Ors. ....Respondents

Mr.Nitin Manale with Mr.S.S. Pakale for the Petitioners.

Mr.S.R. Rajguru for Union of India.

Mr.G.S. Shetty for Respondent No.1.

CORAM : S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 15TH SEPTEMBER, 2004.

P.C. :

1. Heard the learned counsel for the Petitioners and the Respondents.

2. By this Notice of Motion the Petitioners are seeking recall of the order dated 9th August, 2004, whereby the above Petition was dismissed for default. We have perused the affidavit in support of the Notice

of Motion. Sufficient cause is made out for recalling the aforesaid order. There is no case of inaction, negligence or want of bonafide. Hence the Notice of Motion is made absolute in terms of prayer clause (a) subject to the condition that the Petitioners shall pay a sum of Rs.500/- to the Maharashtra State Legal Services Authority as costs within a period of six weeks from today.

4. Place the Writ Petition on board for final hearing on 22nd September, 2004.

5. The Notice of Motion stands disposed of.

. Parties to act on an ordinary copy of this order duly authenticated by the Associate/Court Stenographer of this Court.

(S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)